

REMARKS

I. Status

The Office Action indicates claims 24-65 to be pending in this application. With this response, claims 24, 35, 44, 55, 64, and 65 are amended, and claims 28, 29, 39, 40, 48, 49, 59, and 60 are canceled without prejudice or disclaimer. No new matter has been added.

Claims 24-34, 44-54, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace (U.S. Patent No. 6,424,657) in view of Obradovich (U.S. Patent No. 6,987,964).

Claims 35-43, 55-63, and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace in view of Powell (U.S. Pub. No. 2002/0073167).

Claims 24, 35, 44, 55, 64, and 65 are independent.

II. Amendment of Independent Claims 24, 35, 44, 55, 64, and 65

With this response, Applicants amend claims 24, 35, 44, 55, 64, and 65. No new matter has been added.

Applicants respectfully submit that the cited references, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... wherein the data is selected based upon number of requests for the data that originate from a broadcast cell”

as set forth in each of claims 24, 35, 44, 55, 64, and 65 as amended herewith (emphasis added).

The Office Action apparently contends that such is disclosed by column 36 line 52 of Gerace.

However, Applicants respectfully observe that this portion of Gerace instead merely discusses coordinating agate information display with television and radio broadcast:

“17. Method as claimed in claim 16 wherein the step of transmitting and displaying includes displaying agate information in predefined schedules to coordinate with at least one of television and radio broadcast of events generating the agate information”
(see Gerace col. 36 ln. 49-53; emphasis added).

In view of at least the foregoing, Applicants respectfully submit that claims 24, 35, 44, 55, 64, and 65 at least with the amendments herewith, as well as those claims that depend therefrom, are in condition for allowance.

III. Dependent Claim Rejections

Applicants do not believe it is necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

(Continued on next page)

CONCLUSION

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

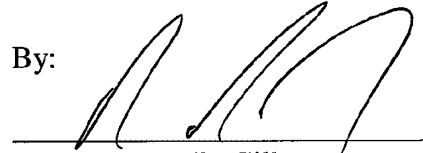
The Commissioner is hereby authorized to charge any fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4041.

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By:

A handwritten signature in black ink, appearing to read 'Angus R. Gill', is written over a horizontal line.

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